

(SPACE BELOW FOR FILING STAMP ONLY)

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

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PETER B. INC, a Nevada corporation;  
 FOXGLOVE, INC., a Wyoming  
 corporation,

Plaintiff,

vs.

COMERICA BANK, a Texas corporation;  
 UNITED SECURITY BANK, a California  
 corporation,

Defendants.

Case No. CV 10-4454 EJD

**STIPULATION FOR DISMISSAL OF  
 ACTION WITH PREJUDICE; ORDER  
 THEREON**

The Honorable Edward J. Davila

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THE LAW FIRM OF POWELL & POOL  
7522 North Colonial Avenue, Suite 100  
Fresno, California 93711

**STIPULATION**

IT IS HEREBY STIPULATED, pursuant to Rule 41 of the Federal Rules of Civil Procedure, by and between the parties and their respective counsel, that the above-entitled action, PETER B. INC., a Nevada corporation, FOXGLOVE, INC., a Wyoming corporation v. COMERICA BANK, a Texas corporation, UNITED SECURITY BANK, a California corporation, be dismissed with prejudice.

Dated: November 7, 2011

LAW OFFICES OF MITCHELL A. STEVENS

By: /S/ Mitchell A. Stevens

MITCHELL A. STEVENS, Attorneys for  
PETER B. INC., and FOXGLOVE, INC.

Dated: November 7, 2011

THE LAW FIRM OF POWELL & POOL

By: /S/ Don J. Pool

DON J. POOL, Attorneys for  
UNITED SECURITY BANK

Dated: November 7, 2011

FRANZDEL ROBINS BLOOM & CSATO, LC

By: /S/ Hal D. Goldflam

HAL D. GOLDFLAM, Attorneys for  
COMERICA BANK

**ORDER**

Based on the Stipulation of the parties, and good cause appearing therefore,  
IT IS HEREBY ORDERED that the above entitled action is dismissed, with  
prejudice.

The Clerk shall close this file.

Dated: November 16, 2011

By: 

HONORABLE EDWARD J. DAVILA  
UNITED STATES DISTRICT JUDGE